
Minutes
Regular Meeting
March 9, 2016

Present: Mayor Pro-Tem Jeff Turek, Council Members Troy Belliston, Kolene Granger, Garth Nisson, City Manager Roger Carter, City Attorney Jeff Starkey, City Recorder Danice Bulloch, Public Works Director Mike Shaw, Administrative Services Manager Kimberly Ruesch, Community Development Director Drew Ellerman, Police Chief Jim Keith, IS Director Steve Whittekiend, Audience: Colleen Rue, Stephen Simister, Jim Raines Lori Raines, Marc Raines, Steve Wilson, David Richardson, Sharon Ruebill, Stan Klasna, Glenna Klasna, Cheryl Russell, Val Russell, Merilyn Shelton, Sandra Nickle, Theron Nay, Glenda Nay, Mary Dye, LaDell Dye

Excused: Mayor Kenneth Neilson and Council Member Thad Seegmiller

Meeting commenced at 6:00 P.M.

Invocation: Council Member Granger

Pledge of Allegiance: Council Member Belliston

1. APPROVAL OF THE AGENDA

Council Member Granger made a motion to approve the agenda. Council Member Belliston seconded the motion; which passed with the following roll call vote:

<i>Council Member Belliston</i>	<i>Aye</i>
<i>Council Member Granger</i>	<i>Aye</i>
<i>Council Member Nisson</i>	<i>Aye</i>
<i>Mayor Pro-Tem Turek</i>	<i>Aye</i>

2. ANNOUNCEMENTS

None

3. DECLARATION OF ABSTENTIONS & CONFLICTS

None

4. CONSENT AGENDA

APPROVAL OF MINUTES: Consideration to approve the minutes from the City

BOARD AUDIT REPORT: Consideration to approve the Board Audit Report for February 2016.

Council Member Belliston made a motion to approve the consent agenda. Council Member Granger seconded the motion; which passed with the following roll call vote:

<i>Council Member Belliston</i>	<i>Aye</i>
<i>Council Member Granger</i>	<i>Aye</i>
<i>Council Member Nisson</i>	<i>Aye</i>
<i>Mayor Pro-Tem Turek</i>	<i>Aye</i>

5. AGREEMENTS

A. Consideration to approve a Joint Venture Agreement with Red Mountain Running, LLC for the Southern Utah Half Marathon. Event Coordinator Dustin Halterman

Event Coordinator Dustin Halterman reviewed the Joint Venture Agreement with Council. Washington City will obtain the buses for the Southern Utah Half Marathon. In addition, the Community Center will be open for the pack and pick-up. For these services, Washington City will be paid 20% of the gross profits. In addition, Washington City will not incur any cost for the buses.

City Attorney Jeff Starkey noted he has drafted this agreement for annual renewal. However, the date has been left out until such time we know for certain.

Event Coordinator Halterman stated the run is the third weekend in April.

City Attorney Starkey stated he would note the third weekend in April within the agreement. However, in no way should the run interfere with Cotton Day's or the Ironman Event.

Colleen Rue explained the contract will be renegotiated on a yearly bases. Therefore, there should not be any conflict with other activities, as Council will need to approve the special event permit including the dates.

Council Member Granger made a motion to approve a Joint Venture Agreement with Red Mountain Running, LLC for the Southern Utah Half Marathon. Council Member Belliston seconded the motion; which passed with the following roll call vote:

<i>Council Member Belliston</i>	<i>Aye</i>
<i>Council Member Granger</i>	<i>Aye</i>
<i>Council Member Nisson</i>	<i>Aye</i>
<i>Mayor Pro-Tem Turek</i>	<i>Aye</i>

6 SPECIAL EVENT

A. Consideration to approve a Special Event for the Southern Utah Half

Marathon, to be held on April 23, 2016. Red Mountain Running Steven Hooper

Colleen Rue reviewed the Half Marathon route with Council. There will not be a need for road closures within Washington City.

Council Member Belliston made a motion to approve a Special Event for the Southern Utah Half Marathon, to be held on April 23, 2016. Council Member Nisson seconded the motion; which passed with the following roll call vote:

<i>Council Member Belliston</i>	<i>Aye</i>
<i>Council Member Granger</i>	<i>Aye</i>
<i>Council Member Nisson</i>	<i>Aye</i>
<i>Mayor Pro-Tem Turek</i>	<i>Aye</i>

B. Consideration to approve a Special Event for Cotton Day's, to be held April 25th to May 7th. Along with the closing of roads for the Parade Route on April 30th beginning at 9:00 A.M. Event Coordinator Dustin Halterman

Event Coordinator Dustin Halterman reviewed the activities being held for Cotton Day's Event beginning April 25th and ending on May 7th.

Council Member Granger made a motion to approve a Special Event for Cotton Day's, to be held April 25th to May 7th. Council Member Belliston seconded the motion; which passed with the following roll call vote:

<i>Council Member Belliston</i>	<i>Aye</i>
<i>Council Member Granger</i>	<i>Aye</i>
<i>Council Member Nisson</i>	<i>Aye</i>
<i>Mayor Pro-Tem Turek</i>	<i>Aye</i>

7. PRELIMINARY PLAT

A. Consideration to approve a Preliminary Plat for the Iron Horse, located at approximately 4300 S. Washington Fields Road. Applicant: Stephen Simister

Community Development Director Drew Ellerman reviewed:

The applicant is requesting approval of a Preliminary plat for the Iron Horse subdivision, located at approximately 4300 South Washington Fields Road. The applicant is proposing 59 lots on an area of coverage of 25.24 acres. The zoning designation at this particular location is Single-Family Residential - 8,000 Sq. Ft. Min. (R-1-8).

The proposed subdivision conforms to the approved zoning. The request meets the subdivision requirements and other city ordinances as it relates to this location. Staff has reviewed the request and recommends approval, with conditions, of the preliminary plat as outlined.

The Planning Commission unanimously recommended approval of the Preliminary plat for the Iron Horse subdivision to the City Council, based on the following findings and subject to the following conditions:

Findings

1. The preliminary plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the preliminary plat conforms to the Zoning and the Subdivision Ordinances as conditioned.

Conditions

1. A preliminary and final drainage study and grading and drainage plan shall be submitted for review and approval prior to moving dirt. Development of the site shall comply with the recommendations of the geotechnical study and drainage study, and improvements for drainage and detention shall be approved by the Public Works Department.
2. Along with condition #1 (above), an offsite storm drain extension will be required for discharge from this site as well as to accommodate pass-through water.
3. A final geotechnical study shall be submitted to the City for review and approval prior to submitting the final plat. All recommendations of the geotechnical study shall be adhered to.
4. Construction drawings for the subdivision and its infrastructure shall be submitted to the City for review and approval prior to the submittal for final plat.
5. The construction drawings shall adequately address prevention of nuisance storm water drainage across lots. If retaining walls are utilized to prevent cross-lot drainage, the developer shall be responsible for installing said retaining walls.
6. At the time of final plat submittal, the following documents shall also be submitted:
 - A. A title report.
 - B. A copy of any deed restrictions, other restrictions, restrictive covenants, architectural controls, or other requirements that may apply to the development (CC&Rs).
7. All detention areas shall be landscaped and all detention and landscaped areas shall be maintained by the property owners and/or homeowners association. A note shall be placed on the plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain the detention and landscaped areas.
8. A final landscaped plan and fencing plan shall be submitted for review and approval prior to the submittal of the final plat. Landscaping and fencing shall be installed prior to the occupancy of the buildings that will be constructed along the landscaped and fenced areas.
9. All landscaping, walls and other structures shall meet sight distance requirements. A note shall be placed on the final plat stating that the City has the right to assess the property owners and/or homeowners association for failing to maintain sight distance requirements.
10. Driveway locations are to be approved by the Public Works Department.
11. Any proposed blasting for the development of the subdivision requires the submittal of a blasting plan with the construction drawings and issuance of a blasting permit.
12. A right turn pocket will be required coming off of Washington Fields Road.
13. That a Post Construction Maintenance Agreement be recorded prior to the recording of the final plat.

Council Member Belliston asked if this would cause any issues with the volume of the detention basin.

Community Development Director Ellerman stated he hoped there would not be any issues. If it looks as though there may be a need, the basin would be adjusted to whatever size is necessary.

Council Member Belliston stated he is pleased with the size of the lots.

Council Member Belliston made a motion to approve a Preliminary Plat for the Iron Horse, located at approximately 4300 S. Washington Fields Road with the findings and conditions of Staff and as recommended by the Planning Commission. Council Member Nisson seconded the motion; which passed with the following roll call vote:

<i>Council Member Belliston</i>	<i>Aye</i>
<i>Council Member Granger</i>	<i>Aye</i>
<i>Council Member Nisson</i>	<i>Aye</i>
<i>Mayor Pro-Tem Turek</i>	<i>Aye</i>

8. FINAL PLATS

A. Consideration to approve the Final Plat for the Casitas at Sienna Hills, Phase 2, located at approximately 1900 East 1000 North. Applicant: Brenna Holdings NO 200 LLC

Community Development Director Drew Ellerman reviewed:

The applicant is requesting approval of a final plat for The Casitas at Sienna Hills, Phase 2 subdivision, located at approximately 1900 East 1000 North. This particular subdivision is proposing 35 lots on an area covering 5.10 acres. The specific location of this subdivision is zoned Planned Community Development (PCD). The Preliminary Plat was approved back on March 12, 2014.

The Planning Commission unanimously recommended approval of the Final plat for The Casitas at Sienna Hills, Phase 2 subdivision to the City Council, based on the following findings and subject to the following conditions:

Findings

1. The final plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.
3. The proposed final plat conforms to the approved preliminary plat.

Conditions

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. When applicable, in the General Notes where the terms "Home Owners Association", or "Property Owners" are used, they shall be changed to read as "Property Owners and/or Home Owners Association".
5. That a Post Construction Maintenance Agreement be recorded prior to the recording of the final plat.
6. All "Common Area" and/or "Open Space" referenced on the plat needs to be called out as a blanket "P.U.E. and Drainage easement".

7. Parcels 22-27 & 77-78, will not be allowed “vacation / short term rental” status in accordance with the city council approval of the zoning change amendment for this particular location. A note needs to be added to the general notes of the plat stating such.

Council Member Belliston asked if the vacation rentals have already been approved.

Community Development Director Ellerman stated they were approved in the zone change. However, there are the designated lots as noted, which will not be short term rentals.

Council Member Granger made a motion to approve the Final Plat for the Casitas at Sienna Hills, Phase 2, located at approximately 1900 East 1000 North with the findings and conditions of Staff and as recommended by the Planning Commission. Council Member Belliston seconded the motion; which passed with the following roll call vote:

<i>Council Member Belliston</i>	<i>Aye</i>
<i>Council Member Granger</i>	<i>Aye</i>
<i>Council Member Nisson</i>	<i>Aye</i>
<i>Mayor Pro-Tem Turek</i>	<i>Aye</i>

B. Consideration to approve the Final Plat for the Eagle Summit Estates, located at approximately 1300 West 200 North. Applicant: Jay Keltner

Community Development Director Drew Ellerman reviewed:

The applicant is requesting approval of a final plat for the Eagle Summit Estates subdivision, located at approximately 1300 West. This particular subdivision is proposing 38 lots on an area covering 30.25 acres. The specific location of this subdivision is zoned Single-Family Residential - 15,000 Sq. Ft. Min. (R-1-15). The Preliminary Plat was approved back on August 26, 2015.

The Planning Commission unanimously recommended approval of the Final plat for the Eagle Summit Estates subdivision to the City Council, based on the following findings and subject to the following conditions:

Findings

1. The final plat meets the land use designation as outlined in the General Plan for the proposed area.
2. That the final plat conforms to the Washington City Zoning Ordinance and Subdivision Ordinance as outlined.
3. The proposed final plat conforms to the approved preliminary plat.

Conditions

1. All improvements shall be completed or bonded for prior to recording the final plat.
2. A current title report policy shall be submitted prior to recording the final plat.
3. Any referenced control monuments related to this subdivision shall be in place prior to recordation of the final plat. A stamped and signed letter from a professional land surveyor licensed in the state of Utah that verifies that the referenced control monuments are in place shall be submitted to the Community Development Department for filing prior to plat recordation.
4. When applicable, in the General Notes where the terms “Home Owners Association”, or “Property Owners” are used, they shall be changed to read as “Property Owners and/or Home

Owners Association”.

5. That a Post Construction Maintenance Agreement be recorded prior to the recording of the final plat.
6. All “Common Area” referenced on the plat needs to be called out as a blanket “P.U.E. and Drainage easement”.
7. “Common Area” needs to be added to accommodate drainage channel and access for maintenance behind lots 16 and 10, and between lots 9 and 10, unless some other arrangement for an alternate plan is approved by the public works department.
8. Detention areas need to be shown on plat.
9. All development will be held to the requirements as outlined in the “Hillside Protection Overlay” zone found in the Zoning Regulations of Washington City Code.

Council Member Granger asked about the drainage turning 90 degrees along a property boundary.

Community Development Director Ellerman stated the public works department will review and approve the design and implementation of the drainage. If the open area will not handle the flow, then the drainage will be piped.

Public Works Director Mike Shaw stated the drainage flows are not that heavy, so there should not be any issues with the drainage. However, upon final review of their design, if needed the drainage will be piped.

Council Member Belliston asked if the developer has a grading permit.

Mark Raines stated the construction documents have been completed on the project. The grading plans have been approved as well. The drainage channel is 5-foot wide and the common space is 10 foot. There should not be any issues with the drainage making the turn.

Council Member Granger asked about the no disturb area discussed in the previous meeting.

Community Development Director Ellerman reviewed the no disturb area on the final plat, which has not changed since the original preliminary plat approval. The applicant also must follow the hillside protection zone with respect to building the homes. He reviewed the setback requirements for the hillside protection zone with Council.

Mayor Pro-Tem Turek stated he has looked at the site, and he can understand the concerns of the residents below. However, he has confidence in Staff, they will ensure the setback requirements are met as they need to be.

Council Member Belliston stated he would like to have the setbacks for the homes shown on the plat.

Community Development Director Ellerman stated generally there is not a requirement for setback lines on a final plat. However, if Council would like to make it a condition, it can be done.

Council Member Belliston stated he does not have an issue with this development. However, because there are homes below, he would rather exercise an abundance of caution.

Mayor Pro-Tem Turek asked how burdensome it would be to ask the developer to include the setback lines on the plat.

Community Development Director Ellerman stated he could go out with the developer, and possibly a third person to pull measurement, which can be placed on the plat.

Council Member Belliston stated he would be happy to go to the site with Staff and the Developer to get these measurements.

Council Member Granger asked if a fence could be placed on the property.

Community Development Director Ellerman stated a block wall could definitely be placed. However, it would not be allowed in the no disturb area, and it could not be more than 6 feet in height.

Mr. Raines stated he would prefer to move forward with the recommendation as they have met all of the Final Plat requirements. They have no issue placing a condition on the final Plat stating those setbacks shall be noted on the Final Plat prior to recording.

Mayor Pro-Tem Turek stated he would feel more comfortable having the setbacks on the plat.

Council Member Belliston made a motion to table the Final Plat for the Eagle Summit Estates, located at approximately 1300 West 200 North to the meeting on March 23, 2016 in order to place setback lines on the final plat. Council Member Granger seconded the motion; which passed with the following roll call vote:

<i>Council Member Belliston</i>	<i>Aye</i>
<i>Council Member Granger</i>	<i>Aye</i>
<i>Council Member Nisson</i>	<i>Aye</i>
<i>Mayor Pro-Tem Turek</i>	<i>Aye</i>

9. PUBLIC HEARINGS AND RELATED ORDINANCES/RESOLUTION

A. Public Hearing for the consideration to adopt a Resolution to open and amend the Washington City 2015/2016 Fiscal Year Budget for the funds of Washington City, Washington, Utah.

Administrative Services Manager Kimberly Reusch reviewed the changes to the 2015/2016 Fiscal Year Budget.

No public comments were made.

Council Member Granger made a motion to close the public hearing. Council Member Nisson seconded the motion; which passed with the following roll call vote:

<i>Council Member Belliston</i>	<i>Aye</i>
<i>Council Member Granger</i>	<i>Aye</i>
<i>Council Member Nisson</i>	<i>Aye</i>

B. Consideration to approve a Resolution to open and amend the 2015/2016 Fiscal Year Budget.

Council Member Belliston made a motion to approve a Resolution to open and amend the 2015/2016 Fiscal Year Budget. Council Member Nisson seconded the motion; which passed with the following roll call vote:

*Council Member Belliston Aye
Council Member Granger Aye
Council Member Nisson Aye
Mayor Pro-Tem Turek Aye*

C. Public Hearing for consideration to approve Zone Change request Z-16-03 to change present zone from A-20 (Agriculture 20 acre minimum lots) to RA-2 (Residential Agriculture 2 acre minimum lots), located at approximately 240 West 3650 South. Applicant: Jim and Sharon Frasier

Community Development Director Drew Ellerman reviewed:

The applicant is requesting approval to change the zoning of approximately 4.73 acres, located approximately at 240 West 3650 South. The requested change is from the current zoning of Agricultural - 20 Acre Min. (Ag-20) to the proposed Residential/Agricultural - 2 Acre Min. (RA-2) zoning designation. The (RA-2) request is for the purpose of developing the parcel into a single family residence and to bring the parcel into compliance with zoning - lot size and use.

The General Plan Land Use Designation for this location is Low Density Residential (LD), which carries a 4.5 - 5.5 dwelling unit per acre density ratio. The surrounding zoning to this parcel is R-1-15 to the east and west, Agricultural-20 to the south, and Residential/Agricultural-1 Acre to the north.

The Planning Commission unanimously recommended approval of Z-16-03, for the zone change request from Agricultural - 20 Acre min. (Ag-20) to the proposed Residential/Agricultural - 2 Acre min. (RA-2), to the City Council, based on the following findings.

Findings

1. That the requested zoning conforms to the intent of the land use designation of the General Plan.
2. The the utilities that will be necessary for this type of development will be readily accessible to the site.

Community Development Director Ellerman stated this is a standing parcel of nearly 5 acres, but must have the zone change in order to get a building permit because the current zoning is A-20.

Lawrence Richardson stated he lives in the Cobblestone Subdivision. He does not understand what is going to be located on this parcel.

Community Development Director stated the applicant does not intend to subdivide. They want a large parcel for their home and a couple of horses.

Council Member Nisson made a motion to close the public hearing. Council Member Belliston seconded the motion; which passed with the following roll call vote:

<i>Council Member Belliston</i>	<i>Aye</i>
<i>Council Member Granger</i>	<i>Aye</i>
<i>Council Member Nisson</i>	<i>Aye</i>
<i>Mayor Pro-Tem Turek</i>	<i>Aye</i>

D. Public Hearing for consideration to approve Zone Change request Z-16-04 to change present zone from PUD (Planned Unit Development) to an Amended PUD (Planned Unit Development) located at 3585 S. Camino Real. Applicant: Dave Prior, Sunrise RTC

Community Development Director Drew Ellerman reviewed:

The applicant is requesting approval to amend the current zoning of approximately 3.63 acres, located approximately at 3585 South Camino Real. The requested change/amendment is from the current Planned Unit Development (PUD) zoning, to the proposed amended/new Planned Unit Development (PUD) zoning designation. The applicants are wishing to make changes in the site layout, and building designs of the future structures which differ from the previously approved (PUD).

The original conditions will have to be carried over to the proposed new/amended (PUD) and the additional conditions being added by staff.

The General Plan Land Use Designation for this location is Low Density Residential (LD), which carries a 4.5 - 5.5 dwelling unit per acre density ratio. The surrounding zoning to this parcel is Ag-20 ac. to the west, RA-1/2 to the east, R-1-8 to the south and RA-1 ac. to the north.

The Planning Commission unanimously recommended approval of Z-16-04, for the zone change request from current Planned Unit Development (PUD) to the proposed amended/new Planned Unit Development (PUD), to the City Council, based on the following findings and subject to the condition below:

Findings

1. That the requested zoning conforms to the intent of the land use designation of the General Plan.
2. The the utilities that will be necessary for this type of development will be readily accessible to the site.

Conditions

1. The project shall conform at all times to the open space standards of the PUD zone.
2. All required licensing as mandated by the State of Utah, will be obtained and maintained at all times during operation of the facility. A current copy of that license(s) will be on file in the office of the Community Development Department
3. Any site improvements will be done in accordance to the city adopted building, fire and other codes.
4. A six foot (6') high block wall will be built along the north and east property boundaries. A six foot (6') high fence, built with stone pillars and rail fencing, as depicted in the original

exhibits, will be built along the south and west property boundaries which run parallel with the street frontages. The wall plans shall be submitted for review, the wall shall be built prior to the opening of the academy.

5. The youth academy will only be allowed to house and have on site that which is allowed by state regulations and also in accordance with the building and fire codes which have been adopted by the city, but in no case, will the number of residents/students be greater than sixty (60). This PUD approval will allow for the type of multi-residential uses that be necessary for the housing of the students on site.

6. The youth academy will only be for youth between the ages of eight (8) to eighteen (18) years of age.

7. There will be a required ten foot (10') landscape strip along the street frontage of Camino Real and a thirty foot (30') landscape strip along 3650 South Street, between the fencing with stone pillars and the sidewalks of the aforementioned streets. Landscape and design will be submitted for staff review and approval before any work is started.

8. All landscape plans shall be submitted for review and approval prior to the start of any work.

9. Any changes to the project that differ from the approved site plan will require approval by the city through the amended PUD application process.

10. Drainage plan(s) will be submitted to the Public Works Department for review and approval for any work done on the entire site, which will include plans for drainage to be directed to the detention area(s). Grading permits shall be obtained prior to any land disturbing activity.

11. Any site work will require the approval of any and all construction drawings through the Public Works Department before any work is started.

12. A Post Construction Maintenance Agreement needs to be recorded prior to any work commencing on the site.

Council Member Granger clarified there is a limit to how many students could be housed.

Community Development Director Ellerman stated there has always been a limit to the number of students. The number of students will remain even with the additional buildings.

David Prior stated all of the students are parent referred. They currently have 28 students, with a maximum total of 60 once the project is expanded. They have been turning away families, and would like to move forward with the addition as soon as possible. There is a great need for this type of facility.

Council Member Nisson asked how long a student usually stays at the facility.

Mr. Prior stated the plan for each student is individualized. However, they typically stay for 10 months.

Sherrie Staheli stated the property was originally a single family home. She is the closest neighbor to the facility, and she is here to support the expansion. Since the project has new ownership they have really cleaned it up. This is a great project and facility. They have great kids, and this type of facility offers an opportunity for success for the children.

Council Member Granger made a motion to close the public hearing. Council Member Belliston seconded the motion; which passed with the following roll call vote:

Council Member Belliston Aye

Council Member Granger Aye
Council Member Nisson Aye
Mayor Pro-Tem Turek Aye

10. REPORT OF OFFICERS FROM ASSIGNED COMMITTEE

Council Member Granger stated she has really appreciated attending the Planning Commission Meetings. It has helped her tremendously when the items come to Council. The Legislature is nearing the end of the session. It does not look like the online sales tax is going to pass.

11. CITY MANAGER REPORT

City Manager Carter updated Council on current Washington City projects. There is a UAMPS Meetings in Cedar on March 31st for approximately 3 to 4 hours, and on April 6th at the Dixie Convention Center for Nuclear Reactors. Council are invited to attend both of conference. He then reviewed the community survey results with Council.

12. ADJOURNMENT

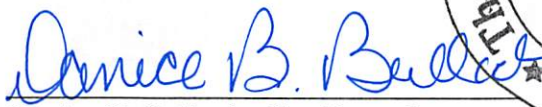
Council Member Belliston made a motion to adjourn the meeting. Council Member Nisson seconded the motion; which passed with the following roll call vote:

Council Member Belliston Aye
Council Member Granger Aye
Council Member Nisson Aye
Mayor Pro-Tem Turek Aye

Meeting adjourned at 7:37 P.M.

Passed and approved this 23rd day of March, 2016.

Attest by:


Danice B. Bulloch, City Recorder



Kenneth F. Neilson, Mayor